

### **REMARKS**

Claims 1-5, 7-18 and 20-30<sup>1</sup> are all the claims pending in the Application.

Reconsideration and allowance of claims 1-5, 7-18 and 20-30 are respectfully requested in view of the following remarks.

#### **I. Summary of the Office Action**

Claims 1-5, 7-18, 20-27 and 29 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,000,187 to Messinger (hereinafter “Messinger”) in view of U.S. Patent Application No. 2004/0268259 to Rockey et al. (hereinafter “Rockey”) and further in view of U.S. Patent No. 6,625,299 to Meisner et al. (hereinafter “Meisner”). Claim 28 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Messinger, Rockey, Meisner and U.S. Patent No. 6,075,895 to Qiao. Claim 30 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Messinger, Rockey, Meisner and U.S. Patent No. 5,661,473 to Paschal.

#### **II. Prior Art Rejections**

Independent claims 1, 14 and 27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Messinger and Rockey in view of Meisner. Applicants respectfully traverse the grounds of rejection summarized above.

Claim 1 recites “a tracking system detecting and recognizing in the user’s viewing direction real objects in a space located in the user’s field of vision, the tracking system comprising at least one image detection unit detecting the real objects and a computer unit

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<sup>1</sup> Applicants note, although claims 6 and 19 are canceled in this application, on Form PTOL-326 and at page 2 of the Office Action, the Examiner lists claims 1-30 as currently pending. However, no further reference is made in the detailed action with respect to canceled claims 6 and 19.

processing information output by the image detection unit, wherein the processed information from the tracking system is provided to the automatic context registration for automatic generation of the context of the user.”

The Examiner acknowledges that Messinger and Rockey do not disclose or suggest the above-noted feature of claim 1. However, the Examiner contends that Meisner cures the deficiencies of Messinger and Rockey. *See* page 3 of the Office Action. Applicants respectfully disagree with the Examiner’s position.

Applicants respectfully submit that a person of ordinary skill in the art would not have combined Messinger and Rockey with the teachings of Meisner. Meisner relates to a “tracking apparatus and . . . augmented reality (AR) technology for integrating or augmenting real information such as actual or captured real-world images with virtual information such as images of computer-generated objects.” *See* col. 1, lines 8-12. Such a tracking system is used for “assembling or inspecting components such as televisions, radios, computers, and other components . . . [and] to fabricate wire harnesses for commercial airline planes.” *See* col. 1, line 65 to col. 2, line 17. As described in Meisner, AR systems are also used to simulate real-world activities such as piloting aircraft or ships. *See* col. 2, lines 6-8. In other words, the tracking apparatus in Meisner is used to integrate computer-generated information (virtual data) with real world objects.

The Examiner contends that one of ordinary skill in the art would have been motivated to combine Meisner with the teachings of Messinger and Rockey “in order to allow a user to quickly and accurately apply virtual information [computer-generated data] to a problem, a task

or a situation in the real world.” *See* page 4 of the Office Action. However, this alleged motivation is rather a general statement about the use of AR technology than a basis for combining the teachings of Messinger and Rockey with Meisner.

Messinger relates to software technical support and training as an alternative to online or telephone support which is deemed to be expensive for vendors of software and time consuming for users. *See* col. 1, lines 25-29. Rockey is directed to presenting commands to a user within a software application program based on a user’s context within a document or application program. *See* Abstract. Thus, Messinger and Rockey are merely concerned with computer-generated data, programs, applications, *i.e.*, with virtual data and objects.

Applicants respectfully submit that there is absolutely no reason why a person of ordinary skill in the art would have combined the AR technology of Meisner with the trainings and support software applications of Messinger and Rockey. AR technology, which combines real world objects with computer generated data, has no role in using a software application and getting technical support by another software component on a computer system, as taught by Messinger and Rockey. The user’s context in Rockey, for example, is determined by monitoring the user’s action within a particular software application program. *See* paragraph [0020]. In other words, the user’s actions are tracked merely in a computer-generated (virtual) world without any relation to the real world outside the computer system.

Since all actions of a user in Messinger and Rockey are related to virtual, computer generated objects, tracking of real objects around the user would not have any impact on the results of actions in Messinger or Rockey performed by the user within the software applications

on the computer. Therefore, there is no need for tracking real world objects around the user in Messenger or Rocky.

For the above reasons, Applicants respectfully submit that a person of ordinary skill in the art would not have combined Messenger with Rocky and Meisner in the manner set forth by the Examiner. Therefore, Applicants respectfully request that the rejection of claim 1 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Independent claims 14 and 27 recite analogous features as claim 1 and are patentable for at least analogous reasons as claim 1.

Claims 2-5, 7-13, 15-18, 20-26 and 28-30 depend from claims 1 and 14, respectively. Qiao and Paschal do not remedy the deficiencies of Messenger and Rocky and Meisner. Thus, 2-5, 7-13, 15-18, 20-26 and 28-30 are patentable at least by virtue of their dependencies.

### **III. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

RESPONSE UNDER 37 C.F.R. § 1.111  
U.S. Appln. No.: 10/626,746

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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